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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

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9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

11 MATHEW DAVIS,

12 Plaintiff,

13 vs.

14 GLENDALE UNIFIED SCHOOL DISTRICT,  
ZAVEN SHAMOYAN, MICHAEL F.  
15 ESCALANTE, LINDA EVANS,  
CHRISTOPHER COULTER, MARK BROWN,  
16 SUNGSOOK KIM, CHARLOTTE  
SASSOUNIAN, MARY W. BORGER, GREG  
17 KRIKORIAN, NAYIRI NAHABEDIAN,  
JOYLENE WAGNER, CHRISTINE WALTERS,  
18 TAMAR KATAROYAN, H.A. PAZ, COUNTY  
OF LOS ANGELES, SCOTT SHINAGAWA and  
19 DOES 1 through 10, inclusive,

20 Defendants.

Case No. **CV 10-01837-DMG(CW)**

COMPLAINT FOR DAMAGES AND  
DEMAND FOR JURY TRIAL

1. Violation of Civil Rights (42 U.S.C. §1983)  
2. Violation of Civil Rights –California Constitution  
3. Intentional Infliction of Emotional Distress  
4. Slander  
5. Libel

**CA BATES ACT VIOLATION**

Judge:

Dept.:

Trial Date: To be determined  
Trial Time: To be determined

21 Plaintiff, MATHEW DAVIS (“DAVIS”), alleges as follows:

22 **I. JURISDICTION AND VENUE**

- 23  
24 1. DAVIS’ claim is based on, among others, the violation of DAVIS’ civil rights under the United  
25 States Constitution. As such, this case is brought pursuant to 42 USC §1983 and appropriate  
26 statutes of the State of California. DAVIS’ action arises under the Fourth, Fifth and Fourteenth  
27 Amendments to the United States Constitution and the Constitution and laws of the State of  
28 California.

Civil Complaint for Damages and Demand for  
Jury Trial

- 1 2. This court has jurisdiction pursuant to 28 USC §§1331 and 1343 and supplemental jurisdiction  
2 over state claims pursuant to 28 USC §1367(a).
- 3 3. The claims herein arose in Glendale, California. Therefore, venue lies in the Central District of  
4 California pursuant to 28 USC §1391(b)(2).

5 **II. INTRODUCTION**

- 6 4. This Complaint for Damages is by, DAVIS, who is a citizen of the United States against  
7 defendant, GLENDALE UNIFIED SCHOOL DISTRICT (hereinafter "GUSD") and its agents  
8 a) who supervised and were involved in and responsible for school law enforcement; b) who  
9 supervised, were involved in and were responsible for the suspension and expulsion of  
10 plaintiff; and c) who supervised, were involved in and responsible for processing, enforcing,  
11 documenting and administering accusations relating to alleged student misconduct and  
12 furthermore the COUNTY OF LOS ANGELES (hereinafter "COUNTY") and its d)  
13 supervisors and deputy sheriffs who, all, under color of their authority, unlawfully accused,  
14 detained, arrested, searched, interrogated, harassed, restrained and defamed plaintiff.  
15 Furthermore, plaintiff makes his Complaint for Damages against the supervisors of GUSD and  
16 supervisors of COUNTY and holds such supervisors responsible for the conduct of the  
17 individual defendant agents and for such supervisors' deliberate indifference and gross  
18 negligence in GUSD's and COUNTY's hiring of agents, training of agents, supervising of  
19 agents and dispensing of disciplinary procedures. In addition, GUSD and COUNTY are  
20 responsible for plaintiff's damages in that they were deliberately indifferent to the  
21 Constitutional rights of plaintiff and others similarly situated by GUSD's and COUNTY's  
22 custom, policy, practice and decision 1) to not take corrective action against personnel whose  
23 propensities for unlawful conduct were known, 2) to not assure proper training and supervision  
24 of personnel, 3) to not implement meaningful procedures which would discourage unlawful  
25 official and individual conduct.



### III. THE PARTIES

5. Plaintiff, DAVIS was, and at all times relevant was, a student at Crescenta Valley High School, located in the City La Crescenta, California (hereinafter "CVHS"), and a Citizen of the United States.
6. Defendant, GUSD, at all relevant times, was a Municipal Corporation within the State of California, and at all relevant times employed all school agents and school personnel mentioned and referenced in the complaint herein. GUSD is otherwise a public entity organized and existing under the laws of the State of California. GUSD will be included when referenced as "defendant" or "defendants", unless excluded and as the context implies.
7. Defendant, MICHAEL F. ESCALANTE, is, and at all relevant times was, the GUSD Superintendent, (hereinafter "SUPERINTENDENT") who had a mandatory duty to inform and advise the BOARD on education-related matters including a) the acceptable conduct of the GUSD Law Enforcement Agents (defined *infra.*) of CVHS; b) the acceptable conduct of those involved in and who were responsible for the suspension and expulsion of plaintiff; and c) the acceptable conduct of those who supervised, were involved in and responsible for processing, enforcing, documenting and administering accusations relating to alleged student misconduct. Plaintiff sues SUPERINTENDENT both individually and in his official capacity. SUPERINTENDENT will be included when referenced as "defendant" or "defendants", unless specifically excluded or as the context implies.
8. MARY W. BORGER ("BORGER"), GREG KRIKORIAN ("KRIKORIAN"), NAYIRI NAHABEDIAN ("NAHABEDIAN"), JOYLENE WAGNER ("WAGNER") and CHRISTINE WALTERS ("WALTERS") are, and at all relevant times were, members of the Board of Education of GUSD and who have and had the duty to set the GUSD educational policy, including a) the acceptable conduct of the law enforcement agents of GUSD and CVHS; b) the acceptable conduct of those involved in and who were responsible for the suspension and expulsion of plaintiff; and c) the acceptable conduct of those who supervised, were involved in and responsible for processing, enforcing, documenting and administering accusations relating to alleged student misconduct. Plaintiff sues BORGER, KRIKORIAN, NAHABEDIAN, WAGNER and WALTERS (hereinafter "the BOARD"), both individually and in and their

1 official capacity. The BOARD and its individual members will be included when referenced as  
2 "defendant" or "defendants", unless specifically excluded or as the context implies.

3 9. LINDA EVANS ("EVANS"), CHRISTOPHER COULTER ("COULTER"), MARK BROWN  
4 ("BROWN"), SUNGSOOK KIM ("KIM"), CHARLOTTE SASSOUNIAN  
5 ("SASSOUNIAN"), TAMAR KATAROYAN ("KATAROYAN"), H.A. PAZ ("PAZ") are, and  
6 at all relevant times were, members of the CVHS ADMINISTRATION and who have and had  
7 the duty to administer and implement the GUSD educational policy, including a) the acceptable  
8 conduct of the law enforcement agents of GUSD and CVHS; b) the acceptable conduct of those  
9 involved in and who were responsible for the suspension and expulsion of plaintiff; and c) the  
10 acceptable conduct of those who supervised, were involved in and responsible for processing,  
11 enforcing, documenting and administering accusations relating to alleged student misconduct.  
12 Plaintiff sues EVANS, COULTER, BROWN, KIM and SASSOUNIAN (hereinafter "the  
13 CVHS ADMINISTRATION"), both individually and in and their official capacity. The CVHS  
14 ADMINISTRATION and its individual members will be included when referenced as  
15 "defendant" or "defendants", unless specifically excluded or as the context implies.

16 10. CVHS is a school under the control of the GUSD, the BOARD, SUPERINTENDENT and the  
17 CVHS ADMINISTRATION.

18 11. Defendant, ZAVEN SHAMOYAN (hereinafter "SHAMOYAN") is, and at all relevant times  
19 was, employed by GUSD as a law enforcement agent. Plaintiff sues SHAMOYAN both  
20 individually and in his official capacity. SHAMOYAN will be included when referenced as  
21 "defendant" or "defendants", unless specifically excluded or as the context implies.

22 12. SHAMOYAN and the other involved GUSD law enforcement agents will sometimes be  
23 referred to as "GUSD Law Enforcement Agents". Each such other individual who was one of  
24 the GUSD Law Enforcement Agents is sued both individually and each in their individual  
25 capacities. GUSD Law Enforcement Agents will be included when referenced as "defendant"  
26 or "defendants", unless specifically excluded, or as the context implies.

27 13. Defendant, COUNTY OF LOS ANGELS (hereinafter "COUNTY"), at all relevant times, was a  
28 Municipal Corporation within the State of California, and at all relevant times employed all  
deputy sheriffs mentioned and referenced in the complaint herein. COUNTY is otherwise a  
public entity organized and existing under the laws of the State of California. COUNTY will be



1 included when referenced as "defendant" or "defendants", unless specifically excluded or as the  
2 context implies.

3 14. Defendant, SCOTT SHINAGAWA (hereinafter "SHINAGAWA"), is, and at all relevant times  
4 was, employed by the COUNTY as a deputy sheriff. Plaintiff sues SHINAGAWA both  
5 individually and in his official capacity. SHINAGAWA will be included when referenced as  
6 "defendant" or "defendants", unless specifically excluded or as the context implies.

7 15. The full extent of the facts linking the fictitiously named designated defendants with the causes  
8 of action alleged herein is unknown to plaintiff, or the true names and/or capacities, whether  
9 individual, plural, corporate, partnership, associate, or otherwise of defendants, DOES 1  
10 through 10, inclusive, are unknown to plaintiff. Plaintiff therefore sues said defendants by such  
11 fictitious names. Plaintiff is informed and believes, and thereon alleges that each of the  
12 defendants designated herein as a DOE is negligently, wantonly, recklessly, tortiously,  
13 intentionally, strictly and unlawfully responsible in some manner for the events and happenings  
14 herein referred to, and negligently, wantonly, recklessly, tortiously, intentionally, strictly and  
15 unlawfully proximately caused injuries and damages thereby to plaintiff, as herein alleged.  
16 Plaintiff will amend this Complaint to allege said defendants' true names and capacities when  
17 such defendants have been ascertained. Each reference to "defendant," "defendants," or a  
18 specifically named defendant, refers to all defendants sued under fictitious names and any other  
19 named defendant.

20 16. At all times herein mentioned, each defendant was the agent, principal, master, servant,  
21 employer, employee, partner and joint venturer of his co-defendants, and in doing the things  
22 hereinafter mentioned, was acting in the scope of his authority as such, and with the permission  
23 and consent of his co-defendants, and each of them.

#### 24 **IV. GOVERNMENT CLAIM**

25 17. DAVIS, through his attorney, Joe Utzurrum, presented a claim letter to GUSD pursuant to  
26 California Government Code §§911, et seq. and on October 9, 2009 GUSD deposited its  
27 Notice of Rejection of Claim in the U.S. mail. (a copy of the rejection letter and envelope  
28 evidencing the certified letter is attached hereto as Exhibit "A" and incorporated herein by this

1 reference.)

2 18. DAVIS, through his attorney, Joe Utzurrum, presented a claim letter to COUNTY pursuant to  
3 California Government Code §§911, et seq. and on September 21, 2009 COUNTY deposited its  
4 Notice of Rejection of Claim in the U.S. mail. (a copy of the rejection letter and envelope  
5 evidencing the certified letter is attached hereto as Exhibit "B" and incorporated herein by this  
6 reference.)

7 **V. FACTS**

8 19. On March 16, 2009, plaintiff, DAVIS was a student at CVHS.

9 20. DAVIS is, and at all relevant times was a) a good student and involved in many positive school  
10 related and community related extracurricular activities; b) a student without any prior criminal  
11 history; c) a student without any prior involvement in selling and dealing illegal drugs or drug  
12 paraphernalia; d) a student who did not use illegal drugs or drug paraphernalia; e) a student  
13 who did not associate with those who sold, dealt and/or used illegal drugs or drug  
14 paraphernalia, and f) a student without any behavioral issues, or otherwise problems, all of  
15 which were known to defendants and their agents.

16 21. The facts set forth in the immediately prior paragraph was at all times known by defendant, or  
17 with reasonable inquiry and investigation, should have been known to defendants. However,  
18 defendants chose to intentionally, or with reckless disregard of plaintiff's rights, not consider  
19 such facts in:

- 20 (a) Assessing whether DAVIS could have been involved in a drug transaction;
- 21 (b) Assessing whether DAVIS was involved in drug transaction;
- 22 (c) Assessing whether DAVIS could have been involved in any criminal activity;
- 23 (d) Assessing whether DAVIS was involved in any criminal activity;
- 24 (e) Assessing whether DAVIS should have been suspended;
- 25 (f) Assessing whether DAVIS should have been prevented from entering CVHS property after  
26 March 16, 2009;
- 27 (g) Determining and then publishing to third parties and uninterested parties that DAVIS was a  
28 physical threat to students and others on GUSD campuses, both to persons internally within  
GUSD and to persons who were not interested persons or integral to the determination of



the publishing of such statements about DAVIS;

(h) The making of any, and all, oral reports made regarding DAVIS' conduct and character;  
and

(i) The preparation of any, and all, written reports made regarding DAVIS' conduct and character.

22. Defendants herein, other than the COUNTY and SHINAGAWA, had a special duty to protect DAVIS and make accurate representations as to his scholastic record and character as provided for in the *California Education Code*, GUSD Code of Ethics and other statutes, as defendants had knowledge that any misrepresentation would inevitably and necessarily affect the future of DAVIS and students in similar circumstances.

23. On such date and after CVHS school hours, DAVIS was standing by his parked car parked in a location not on CVHS property and off campus. DAVIS was with three friends, who were also students at CVHS and incidentally ethnic minorities. DAVIS was parked and in accordance and in compliance with the enforced GUSD and CVHS student restriction, i.e., not on the school campus:

L. Motor Vehicles (cars, motorcycles, mopeds, and scooters)

Driving is a privilege, and students must operate their motor vehicles in accordance with traffic laws. Students are not to drive at unsafe speeds on street adjacent to campus or in parking lots. "Burning rubber" is a violation. The intent of rules and laws is not to cause students trouble or incur monetary costs, but to protect lives and property.

1. Cars may be parked on city streets, but NOT on the school campus or in reserved staff parking. Students should not block driveways or park in crosswalks. (Police citations may be issued to violators.) Students may not leave school during the school day (other than lunch) to move their cars or retrieve items from their cars.

24. On such date and after school hours, DAVIS was in no way involved in any drug transaction and more importantly, his actions and the actions of his fellow students, could not, would not and did not, appear to any person, including any law enforcement agent, that DAVIS was involved in a drug transaction. DAVIS and his fellow students simply approached DAVIS' car with an intent to drive home after the end of class and no person could, would or did perceive that what occurred was anything more than a group of students approaching a car parked off

1 campus in accordance with CVHS and GUSD policy, with an intent to drive away after the  
2 daily class schedule was completed, or otherwise at an authorized time the GUSD school  
3 schedule.

- 4 25. Instead, CVHS ADMINISTRATION, SHAMOYAN and GUSD Law Enforcement Agents  
5 intentionally, maliciously and otherwise with deliberate indifference chose to disregard and  
6 deprive the rights and privileges afforded to citizens and persons that are, and at all relevant  
7 times were, in the position of DAVIS on March 16, 2009 and thereafter. CVHS  
8 ADMINISTRATION, SHAMOYAN's and GUSD Law Enforcement Agents' constitutional  
9 deprivations, included, but limited to, the abuse by the CVHS ADMINISTRATION's,  
10 SHAMOYAN's and the GUSD Law Enforcement Agents' of their discretionary and  
11 mandatory duties and responsibilities, including but not limited to, by:  
12 (a) Detaining DAVIS without any conceivable probable cause;  
13 (b) Conducting an unlawful search of DAVIS' vehicle without probable cause or voluntary  
14 consent;  
15 (c) Conducting the search of DAVIS' vehicle which was beyond the scope of a permissible  
16 search, even if one were to assume that CVHS ADMINISTRATION's, SHAMOYAN's and  
17 GUSD Law Enforcement Agents' false facts, which they used as a pretense for their  
18 unlawful search, was true;  
19 (d) Lying about the description of the size, type and shape of the knife found in the glove  
20 compartment of DAVIS' vehicle, which if truthfully described would not be considered  
21 unlawful and thus would be a knife legal for DAVIS to have in his glove compartment;  
22 (e) Detaining DAVIS and fabricating the basis for the detention, which included that  
23 SHAMOYAN and GUSD Law Enforcement Agents had witnessed DAVIS involved in an  
24 illegal drug transaction;  
25 (f) Detaining DAVIS and fabricating the basis for the detention, which included that  
26 SHAMOYAN and GUSD Law Enforcement Agents had witnessed DAVIS involved in  
27 criminal activity;  
28 (g) Causing the arrest of DAVIS and fabricating the basis for arrest, which included that  
SHAMOYAN and GUSD Law Enforcement Agents had witnessed DAVIS involved in an  
illegal drug transaction;



- 1 (h) Causing the arrest of DAVIS and fabricating the basis for arrest, which included that  
2 SHAMOYAN and GUSD Law Enforcement Agents had witnessed DAVIS involved in  
3 criminal activity;
- 4 (i) Lying to SHINAGAWA and GUSD about what CVHS ADMINISTRATION,  
5 SHAMOYAN and GUSD Law Enforcement Agents observed, which is further set forth in  
6 paragraphs ¶¶25(b) through 25(h);
- 7 (j) Making a false incident/police report and, or causing the preparation of false incident/police  
8 report, regarding what is further set forth in paragraphs ¶¶25(b) through 25(h), which  
9 included that DAVIS was involved in the commission of and had committed crimes,  
10 resulting in the foreseeable making of numerous defamatory statements;
- 11 (k) Maliciously making a false incident/police report that accused DAVIS of committing a  
12 felony, where in fact defendants knew that DAVIS' car was not parked on the CVHS  
13 campus, especially in the face of the regularly enforced GUSD and CVHS student  
14 restriction referenced above and thus DAVIS could in no way be regarded as having  
15 brought a knife on campus, even assuming that the alleged knife that was illegally seized  
16 was in fact one that was not legal.
- 17 (l) Lying to prosecutors and, or those who would report to prosecutors, about what  
18 SHAMOYAN and GUSD Law Enforcement Agents observed, which is further set forth in  
19 paragraphs ¶¶25(b) through 25(h);
- 20 (m) Making a false report to prosecutors and, or causing the preparation of a false prosecutorial  
21 report, regarding what is further set forth in paragraphs ¶¶25(b) through 25(h), including  
22 that DAVIS had committed crimes, later resulting in the Los Angeles County District  
23 Attorney filing and prosecuting a criminal complaint against DAVIS;
- 24 (n) Lying to school officials and employees, including those employed by GUSD, about what  
25 SHAMOYAN and GUSD Law Enforcement Agents observed, which is further set forth in  
26 paragraphs ¶¶25(b) through 25(h);
- 27 (o) Making a false report to school officials and employees, including those employed by  
28 GUSD and, or causing the preparation of false GUSD and CVHS written reports, regarding  
what is further set forth in paragraphs ¶¶25(b) through 25(h), including that DAVIS had  
committed crimes, resulting in suspension, expulsion and, or transfer to another school of

1 DAVIS;

2 (p) Conducting a custodial interrogation of DAVIS without advising him of his rights under  
3 *Miranda vs. Arizona* as DAVIS was questioned while forced and commanded to stay seated  
4 on the sidewalk and prevented from leaving, and later including the interrogation at  
5 DAVIS' expulsion/suspension related hearing/inquiry;

6 (q) Violating DAVIS' right against self-incrimination under the Fifth Amendment, as DAVIS  
7 was coerced by law enforcement agents to make a statements to such law enforcement  
8 agents, including the interrogation at DAVIS' expulsion/suspension related hearing/inquiry;  
9 and

10 (r) Violating DAVIS' rights to not make coerced statements to law enforcement agents  
11 protected under the Fourteenth Amendment that would shock the conscience.

12 26. None of the defendants made a reasonable investigation in determining the veracity of CVHS  
13 ADMINISTRATION's, SHAMOYAN's and GUSD Law Enforcement Agents' false claims  
14 regarding what they observed on March 16, 2009 concerning DAVIS.

15 27. Without making any inquiry as to the veracity, circumstances and nature of the false assertions  
16 of CVHS ADMINISTRATION, SHAMOYAN and GUSD Law Enforcement Agents:

17 (a) GUSD suspended DAVIS from attending school;

18 (b) GUSD suspended DAVIS from attending school and in doing so did not afford DAVIS an  
19 opportunity to be heard which violated DAVIS' procedural due process rights;

20 (c) GUSD prepared false written statements that ratified the known false statements, or if  
21 reasonable inquiry were made, ratified what should have been known as false statements, of  
22 CVHS ADMINISTRATION, SHAMOYAN and GUSD Law Enforcement Agents, then  
23 disseminated the false written statements to GUSD employees, those not employed by  
24 GUSD and otherwise disinterested persons;

25 (d) GUSD permanently prevented and restrained DAVIS from entering CVHS premises for any  
26 reason and asserted, both orally and through written statements, that DAVIS was a physical  
27 threat to GUSD students and faculty, thereby intentionally casting a false and misleading  
28 negative lighth on DAVIS to the public, including other students, other administrators and  
other schools DAVIS intended on attending.

28. In order to pursue DAVIS' intention of attending a military college and mitigate the false



1 statements made about him by defendants, DAVIS was forced to transfer to a private  
2 military high school in San Diego, California at a colossal expense of time, money and  
3 emotional distress to DAVIS and his family.

4 29. DAVIS was unable to attend the college he preferred, because of defendants' defamatory  
5 statements, as when military colleges received GUSD's and CVHS ADMINISTRATION's  
6 false reports, such military colleges denied DAVIS' entrance to its programs.

7 30. DAVIS incurred expenses in hiring an attorney to defend the criminal action.

8 31. SHINAGAWA prepared a false incident report knowing that such incident report was false,  
9 or otherwise with deliberate indifference to DAVIS' rights, failed to verify CVHS  
10 ADMINISTRATION's, SHAMOYAN's and GUSD Law Enforcement Agents' false  
11 statements contained in the incident report. As such, SHINAGAWA made false statements  
12 to further DAVIS' prosecution, wherein SHINAGAWA did so with malice.

13 SHINAGAWA maliciously made a false incident/police report that accused DAVIS of  
14 committing a felony, where in fact defendants knew that DAVIS' car was not parked on the  
15 CVHS campus, especially in the face of the regularly enforced GUSD and CVHS student  
16 restriction referenced above and thus DAVIS could in no way be regarded as having  
17 brought a knife on campus, even assuming that the alleged knife that was illegally seized  
18 was in fact one that was not legal

19 32. SHINAGAWA's, SHAMOYAN's and GUSD Law Enforcement Agents' acts amounted to  
20 an abuse of the judicial process, as SHINAGAWA, SHAMOYAN and GUSD Law  
21 Enforcement Agents used the judicial process to harass and inflict emotional distress on  
22 DAVIS.

23 33. DAVIS is informed and believes that the abuse to which he was subjected to was consistent  
24 with an institutionalized practice of GUSD and COUNTY, which was known and ratified  
25 by those supervising SHINAGAWA, SHAMOYAN and GUSD Law Enforcement Agents.  
26 At no time did those supervising SHINAGAWA, SHAMOYAN and GUSD Law  
27 Enforcement Agents take effective action to prevent GUSD employees and COUNTY  
28 deputy sheriffs from continuing to engage in such misconduct, in particular, but not limited

1 to, those made by defendants SHINAGAWA, SHAMOYAN and GUSD Law Enforcement  
2 Agents.

3 34. DAVIS is informed and believes that defendants engaged in improper, cruel, unjust,  
4 unlawful, vicious, and abusive conduct, and further that GUSD, COUNTY and its  
5 supervising personnel, agents and deputy sheriffs, failed to properly train, supervise,  
6 discipline, direct, correct, control, monitor or advise a) SHINAGAWA, b) SHAMOYAN, c)  
7 GUSD Law Enforcement Agents, d) CVHS ADMINISTRATION and e) the personnel  
8 responsible for processing, enforcing and administering accusations relating to alleged  
9 student misconduct, which includes, but is not limited to, the failure to adequately instruct  
10 them in the provisions of the *California Education Code*, *GUSD Administrative Codes*,  
11 *GUSD Written Policies*, *CVHS Written Policies*, *California Penal Code*, *California*  
12 *Constitution and the United States Constitution*, to the point that the conduct amounted to  
13 reckless or callous indifference to the rights of DAVIS and persons similarly situated.  
14

15  
16 35. DAVIS is informed and believes that defendants, GUSD, COUNTY, the BOARD, the  
17 CVHS ADMINISTRATION, ESCALANTE and GUSD's and COUNTY's supervising  
18 personnel, agents and deputy sheriffs, authorized, tolerated and institutionalized the  
19 aforementioned misconduct of GUSD and COUNTY personnel through its customs,  
20 policies and practices, formal and informal, and ratified the misconduct by, among other  
21 things:  
22

23 A.) Failing to properly discipline, restrict, train and control employees, including  
24 defendants' supervising personnel, agents, deputy sheriffs, CVHS  
25 ADMINISTRATION, GUSD Law Enforcement Agents and personnel responsible  
26 for processing, enforcing and administering accusations relating to alleged student  
27  
28



1 misconduct, all known to be irresponsible in their dealings with citizens of the  
2 community;

3 B.) Leaving unfettered discretion in its agents, deputy sheriffs, CVHS  
4 ADMINISTRATION, GUSD Law Enforcement Agents and personnel responsible  
5 for processing, enforcing, documenting, monitoring, assessing and administering  
6 accusations relating to alleged student misconduct;

7  
8 C.) Failing to take adequate precautions in the hiring, promotion and retention of GUSD  
9 personnel and sheriff personnel, including defendants' personnel responsible for  
10 processing, enforcing and administering accusations relating to alleged student  
11 misconduct, supervising personnel, agents and deputy sheriffs and GUSD Law  
12 Enforcement Agents;

13 D.) Failing to establish and/or assure the functioning of a good faith, meaningful system  
14 within GUSD, CVHS, COUNTY and the sheriff's department for dealing with  
15 complaints of misconduct, but instead responding to such complaints with  
16 bureaucratic power and official denials;

17  
18 E.) Delegating duties to supervisors, agents and personnel that would likely cause  
19 unlawful searches and seizures, improper disciplining of students and criminal  
20 prosecution, without implementing adequate safeguards, oversight and checks as  
21 occurred in the herein case;

22  
23 F.) Implementing policies, formal and informal, and customs that permit its personnel  
24 to lie and misrepresent facts when preparing reports relating to alleged criminal  
25 activity, whether or not such reports are intended to be prepared for law enforcement  
26 or prosecuting agencies.

1 G.) Implementing policies that would permit the arrest by a law enforcement agent who  
2 was not present at the time of the commission of an alleged misdemeanor, by  
3 charging/booking a student for a felony.

4 36. GUSD, ESCALANTE and CVHS ADMINISTRATION had a duty to control, train and  
5 supervise the conduct of and to monitor the omissions of a) SHAMOYAN, b) GUSD Law  
6 Enforcement Agents, c) CVHS ADMINISTRATION and d) the personnel responsible for  
7 processing, enforcing and administering accusations relating to alleged student misconduct,  
8 however they repeatedly failed to control, train, supervise and monitor them. The failures  
9 to do so were so frequent and pervasive that a) SHAMOYAN, b) GUSD Law Enforcement  
10 Agents, c) CVHS ADMINISTRATION and d) the personnel responsible for processing,  
11 enforcing and administering accusations relating to alleged student misconduct, were left to  
12 exercise unfettered discretion in the manner in which they carried out their duties, leaving  
13 open and likely the high likelihood that constitutional violations and deprivations would  
14 occur and further of the type sustained by DAVIS, to the degree that must be characterized  
15 as no less than reckless or callous indifference to the rights of others, including but not  
16 limited to:

17 A) Failing to implement a system designed to monitor the conduct of and to monitor the  
18 omissions of a) SHAMOYAN, b) GUSD Law Enforcement Agents, c) CVHS  
19 ADMINISTRATION and d) the personnel responsible for processing, enforcing and  
20 administering accusations relating to alleged student misconduct.

21 37. All of the unlawful conduct alleged herein, relating to the GUSD and COUNTY, was  
22 known to all persons who had final policy making authority, who as to GUSD, comprised  
23 of the BOARD, CVHS ADMINISTRATION, ESCALANTE.

24 38. As a direct and proximate result of the pervasive and frequent conduct and omissions of  
25 defendants, and each of them, as their unlawful affirmative conduct and unlawful omissions  
26 and inactions are described herein, including, among other things, the unlawful seizure of  
27 DAVIS and his property, the unlawful and compromised investigation regarding DAVIS'  
28



GUSD case and criminal case, the unlawful abuse of defendants' investigative and executive power over DAVIS' GUSD case and criminal case, DAVIS sustained severe physical and pecuniary damage, severe emotional distress and severe deprivations of his constitutional rights.

**FIRST CAUSE OF ACTION - DEPRIVATION OF FEDERAL CONSTITUTIONAL RIGHTS UNDER 42 USC §1983**

39. DAVIS realleges and hereby incorporates by reference the allegations contained in Paragraphs 1 through 38 of this Complaint as if set forth at length herein.

40. In doing the acts heretofore described, GUSD, COUNTY, CVHS ADMINISTRATION, those GUSD personnel responsible for processing, enforcing and administering accusations relating to alleged student misconduct, SHINAGAWA, SHAMOYAN, CVHS ADMINISTRATION and GUSD Law Enforcement Agents wilfully, knowingly, intentionally and deliberately, deprived DAVIS of his rights under the United States Constitution, including but not limited to:

- A.) The right of DAVIS to be secure in his person and effects against unreasonable search and seizure under the Fourth and Fourteenth Amendments to the United States Constitution;
- B.) The right of DAVIS not to be deprived of life, liberty, or property without due process of law, including 1) the right that criminal defendants and GUSD students are permitted a fair and uncompromised investigation and opportunity to be heard before suspension from school attendance is imposed as a sanction; 2) the right that criminal defendants and GUSD students are permitted a fair and uncompromised investigation and opportunity to be heard before a restraining order is imposed; 3) the right that criminal defendants and GUSD students are permitted a fair and uncompromised investigation and opportunity to be heard before suspension or expulsion proceedings are initiated, and 4) that criminal defendants and public school students are provided facts and discovery that would substantially assist their

1 case, secured to DAVIS under the Fourteenth Amendment to the United States  
2 Constitution;

3 C.) The right of DAVIS to equal protection of the laws, including the rights of DAVIS  
4 not to be singled out for criminal activity and to be treated by GUSD and COUNTY  
5 deputy sheriffs in the same manner as other citizens, secured to DAVIS under the  
6 Fourteenth Amendment to the United States Constitution.

7 D.) The right of DAVIS right against self-incrimination under the Fifth Amendment and  
8 Fourteenth Amendment to the United States Constitution.

9 41. Defendants, GUSD officials and agents and COUNTY officials and agents had the legal  
10 duty to establish, enforce, direct, supervise, and control fair and reasonable policies,  
11 customs, practices, usages, and procedures to be used by a) their law enforcement agents; b)  
12 personnel responsible for processing and administering accusations of alleged student  
13 misconduct; and 3) deputy sheriffs, so that their edicts and/or acts represent the official  
14 policy of GUSD and COUNTY. Instead, acting within such duty, GUSD officials and  
15 agents and COUNTY officials and agents, by various acts of omission and commission  
16 fostered and encouraged an atmosphere of lawlessness, anarchy repression, and repetitive  
17 policy, custom, practice of corruption, as well as, aggressive, abusive and assaultive  
18 behavior and procedures toward students, the accused, detainees and arrestees, which from  
19 the period of DAVIS' detention and arrest onward, represented the policy, practice, custom  
20 and procedure of GUSD and COUNTY. Defendants' accusation, suspension, detention,  
21 unlawful search and seizure, arrest and incarceration of DAVIS was in furtherance of the  
22 unlawful practice, custom and procedure of the GUSD and COUNTY.

23 42. The aforesaid acts of personnel responsible for processing and administering accusations of  
24 alleged student misconduct, SHINAGAWA, SHAMOYAN and GUSD Law Enforcement  
25 Agents were substantially certain to occur as a result of an official policy of deliberate  
26 indifference on the part of official policy makers of GUSD and COUNTY, including the  
27 BOARD, ESCALANTE and the CVHS ADMINISTRATION.  
28



- 1 43. The aforesaid deliberate indifference was part of a plan and scheme to deprive those  
2 accused, those detained and those arrested and prosecuted of the their rights under the  
3 United States Constitution, as shown by deliberate and conscious choices to effectuate that  
4 unlawful policy, by establishing a custom and usage which included acts such as, but not  
5 limited to:
- 6 A.) Selecting 1) school law enforcement agents; 2) personnel responsible for processing,  
7 enforcing and administering accusations relating to alleged student misconduct; and  
8 3) deputy sheriffs, without regard to their propensity to violate the civil rights of  
9 such individuals;
- 10 B.) Failing and refusing to implement appropriate training procedures to prevent the  
11 violations of such individuals;
- 12 C.) Selecting school 1) law enforcement agents; 2) personnel responsible for processing,  
13 enforcing and administering accusations relating to alleged student misconduct; and  
14 3) deputy sheriffs for particular duty assignments without regard to their propensity  
15 to violate the rights of such individuals and leaving unfettered and unchecked  
16 discretion in such agents, including those personnel responsible for processing and  
17 administering accusations of alleged student misconduct, SHINAGAWA,  
18 SHAMOYAN and GUSD Law Enforcement Agents;
- 19 D.) Failing and refusing to design and implement procedures in supervision which  
20 would ensure that such violations would not occur;
- 21 E.) Failing and refusing to discipline 1) school law enforcement agents; 2) personnel  
22 responsible for processing, enforcing and administering accusations relating to  
23 alleged student misconduct; and 3) deputy sheriffs who violate the constitutional  
24 rights of such persons; and
- 25 F.) Failing and refusing to change policies and procedures of the GUSD, COUNTY and  
26 the sheriff's department after learning of such violations.
- 27 44. Defendant, GUSD and its agents and officials and COUNTY and its agents and officials,  
28 including the BOARD, ESCALANTE and the CVHS ADMINISTRATION, despite actual

1 knowledge of repeated allegations of abusive and assaultive behavior toward the accused,  
2 detainees and arrestees by personnel responsible for processing and administering  
3 accusations of alleged student misconduct, GUSD's law enforcement agents and COUNTY  
4 deputy sheriffs, including but not limited to personnel responsible for processing and  
5 administering accusations of alleged student misconduct, SHINAGAWA, SHAMOYAN  
6 and GUSD Law Enforcement Agents, designed and implemented a plan and scheme of  
7 deliberate indifference against the Federal Constitutional rights of the accused, detainees  
8 and arrestees which involved acts such as, but not limited to:

- 9 A.) Repeatedly failing and refusing to enforce procedures to ensure the welfare,  
10 including accurately representing students' academic records, safety of the accused,  
11 detainees and arrestees;
- 12 B.) Repeatedly failing and refusing to discipline 1) school law enforcement agents; 2)  
13 personnel responsible for processing, enforcing and administering accusations  
14 relating to alleged student misconduct; and 3) deputy sheriffs who had been found to  
15 have committed abusive and assaultive behavior toward of the accused, detainees  
16 and arrestees;
- 17 C.) Repeatedly failing and refusing to competently investigate allegations of abuse and  
18 assault by 1) school law enforcement agents; 2) personnel responsible for  
19 processing, enforcing and administering accusations relating to alleged student  
20 misconduct; and 3) deputy sheriffs, especially those that involve an abuse of the  
21 unfettered discretionary power given to 1) school law enforcement agents; 2)  
22 personnel responsible for processing, enforcing and administering accusations  
23 relating to alleged student misconduct; and 3) deputy sheriffs as result of the large  
24 area of coverage of schools in the GUSD and Los Angeles County Sheriff's  
25 Department and failure to properly supervise the 1) school law enforcement agents;  
26 2) personnel responsible for processing, enforcing and administering accusations  
27 relating to alleged student misconduct; and 3) deputy sheriffs ;  
28



1 D.) Repeatedly failing and refusing to adequately train and educate 1) school law  
2 enforcement agents; 2) personnel responsible for processing, enforcing and  
3 administering accusations relating to alleged student misconduct; and 3) deputy  
4 sheriffs, in the proper use of authority; and

5 E.) Repeatedly failing and refusing to adequately supervise the actions of 1) school law  
6 enforcement agents; 2) personnel responsible for processing, enforcing and  
7 administering accusations relating to alleged student misconduct; and 3) deputy  
8 sheriffs, agents and officials under their control and supervision.

9 45. Pursuant to the official policy of a deliberate and conscious choice to deprive the accused,  
10 detainees and arrestees of their rights under the United States Constitution, the  
11 aforementioned policies and procedures, as to the hiring, assignment and training,  
12 supervision, and disciplining of the 1) school law enforcement agents; 2) personnel  
13 responsible for processing, enforcing and administering accusations relating to alleged  
14 student misconduct; and 3) deputy sheriffs, were deliberately enacted, formulated, designed,  
15 concocted and planned in a manner grossly deviating from the standard of care expected of  
16 GUSD and COUNTY policymakers, including those in the position the BOARD,  
17 ESCALANTE and the CVHS ADMINISTRATION, such that violations of the  
18 constitutional rights of the accused, detainees and arrestees were substantially certain to  
19 occur. More specifically, the conduct of personnel responsible for processing, enforcing  
20 and administering accusations relating to alleged student misconduct, SHINAGAWA,  
21 SHAMOYAN and GUSD Law Enforcement Agents was substantially certain to occur due  
22 to an official policy of deliberate indifference and reckless disregard by GUSD officials and  
23 agents and COUNTY officials and agents acting in their official and individual capacity,  
24 including the BOARD, ESCALANTE and the CVHS ADMINISTRATION. In the course  
25 of the implementation of an official policy and established custom and practice to deprive  
26 members of the public of their constitutional rights, such GUSD officials and agents and  
27 COUNTY officials and agents directed the policy of deliberate indifference and reckless  
28 disregard toward the constitutional rights of DAVIS and others similarly situated by

1 exercising conscious choices to participate in conduct and to do acts such as, but not limited  
2 to, the following:

- 3 A.) Making the decisions to hire personnel responsible for processing, enforcing and  
4 administering accusations relating to alleged student misconduct, SHINAGAWA,  
5 SHAMOYAN and GUSD Law Enforcement Agents which overlooked the aspects  
6 of their personality, intellect and general proclivities which made it highly likely  
7 that acts such as those perpetrated against DAVIS were substantially certain to  
8 occur;
- 9 B.) Training personnel responsible for processing, enforcing and administering  
10 accusations relating to alleged student misconduct, SHINAGAWA, SHAMOYAN  
11 and GUSD Law Enforcement Agents in a manner that was so inadequate that acts as  
12 those that were perpetrated against DAVIS were substantially certain to occur;
- 13 C.) Supervising personnel responsible for processing, enforcing and administering  
14 accusations relating to alleged student misconduct, SHINAGAWA, SHAMOYAN  
15 and GUSD Law Enforcement Agents in a manner that was so lacking in intensity  
16 that acts as those that were perpetrated against DAVIS were substantially certain to  
17 occur;
- 18 D.) Meting out discipline on personnel responsible for processing, enforcing and  
19 administering accusations relating to alleged student misconduct, SHINAGAWA,  
20 SHAMOYAN and GUSD Law Enforcement Agents for previous violations of the  
21 rights of citizens that were so inadequate and devoid of impact that acts as those that  
22 were perpetrated against DAVIS were substantially certain to occur.
- 23 E.) Failing to train, discipline, and supervise its 1) school law enforcement agents; 2)  
24 personnel responsible for processing, enforcing and administering accusations  
25 relating to alleged student misconduct; and 3) deputy sheriffs pursuant to an official  
26 policy, plan and scheme, and custom and practice in such a manner that would  
27 deprive the accused, detainees and arrestees of the following rights, privileges and  
28 immunities secured to them by the United States Constitution:



1. The right to be secure in one's person and effects against unreasonable search and seizure under the Fourth and Fourteenth Amendments to the United States Constitution;
2. The right not to be deprived of life, liberty, or property without due process of law, secured under the Fourteenth Amendment to the United States Constitution;
3. The right not be coerced or compelled to incriminate oneself, secured under the Fifth and Fourteenth Amendments; and
4. The right to equal protection of the laws, including the right not to be singled out for criminal activity secured under the Fourteenth Amendment to the United States Constitution.

46. As a direct and proximate result of the specific acts, custom and usage, plan and scheme, deliberate and conscious choice, and official policy of defendants, and each of them, and in denying and depriving DAVIS of his aforementioned rights, DAVIS sustained severe and persistent physical and mental pain, suffering, anguish, and distress, the amount of which will be proven at trial.

47. As a direct and proximate result of the specific acts, custom and usage, plan and scheme, deliberate and conscious choice, and official policy of defendants, and each of them, DAVIS will, in the future, be required to expend further sums for the cure of the physical and emotional injuries he suffered at the hands of defendants in an amount which will be proven at trial.

48. The acts, conduct, and behavior of defendants, and each of them, except for GUSD and COUNTY, were performed knowingly, intentionally, and maliciously, by reason of which DAVIS is entitled to an award of punitive damages in the sum of one million dollars (\$1,000,000.00).

**SECOND CAUSE OF ACTION – DEPRIVATION OF CONSTITUTIONAL RIGHTS  
UNDER THE CALIFORNIA CONSTITUTION – CALIFORNIA CIVIL CODE §51.7, 52,  
52.1**

49. DAVIS realleges and hereby incorporates by reference the allegations contained in Paragraphs 1 through 47 of this Complaint as if set forth at length.

1 50. The conduct of defendants as heretofore described, and each of them, deprived DAVIS of  
2 the following rights, privileges and immunities secured to him by the California  
3 Constitution:

- 4 A.) The right of DAVIS to be secure in his person and effects against unreasonable  
5 search and seizure under the Article I, §13 of the California Constitution;  
6 B.) The right not to be deprived of life, liberty, or property without due process of law;  
7 C.) The right not be coerced or compelled to incriminate oneself; and  
8 D.) The right to equal protection of the laws, including the right not to be singled out for  
9 law enforcement and police activity pursuant to rights secured to DAVIS under  
10 Article I, §7 of the California Constitution.

11 51. As a direct and proximate result of the conduct of defendants, and each of them, DAVIS  
12 sustained severe and persistent physical and mental pain, suffering, anguish, and distress,  
13 the amount of which will be proven at trial.

14 52. As a direct and proximate result of the conduct of defendants, and each of them, DAVIS  
15 will, in the future, be required to expend further sums for the cure of the physical and  
16 emotional injuries he suffered at the hands of defendants in an amount which will be proven  
17 at trial.

18 53. The acts, conduct, and behavior of defendants, and each of them, except for GUSD and  
19 COUNTY, were performed knowingly, intentionally, oppressively, fraudulently and  
20 maliciously, by reason of which DAVIS is entitled to an award of punitive damages in the  
21 sum of one million dollars (\$1,000,000.00).

22 **THIRD CAUSE OF ACTION - INTENTIONAL INFLICTION OF EMOTIONAL**  
23 **DISTRESS**

24 54. DAVIS realleges and hereby incorporates by reference the allegations contained in  
25 Paragraphs 1 through 52 of this Complaint as if set forth at length.

26 55. The acts and conduct of defendants, and each of them, were extreme and outrageous,  
27 intolerable in any civilized society and totally unacceptable to reasonable people under the  
28 circumstances as described herein.



1 56. In performing the acts and engaging in the conduct as herein described, defendants, and  
2 each of them, acted with specific knowledge and/or substantial certainty that DAVIS would  
3 suffer emotional distress. As a direct and proximate result of the conduct of defendants,  
4 and each of them, DAVIS suffered severe emotional distress and physical ailments as a  
5 result of that distress.

6 57. As a direct and proximate result of the conduct of defendants, and each of them, DAVIS  
7 sustained severe and persistent physical and mental pain, suffering, anguish, and distress,  
8 the amount of which will be proven at trial.

9 58. As a direct and proximate result of the conduct of defendants, and each of them, DAVIS  
10 will, in the future, be required to expend further sums for the cure of the physical and  
11 emotional injuries he suffered at the hands of defendants in an amount which will be proven  
12 at trial.

13 59. The acts, conduct, and behavior of defendants, and each of them, except for GUSD and  
14 COUNTY, were performed knowingly, intentionally, oppressively, fraudulently and  
15 maliciously, by reason of which DAVIS is entitled to an award of punitive damages in the  
16 sum of one million dollars (\$1,000,000.00).

17 **FOURTH CAUSE OF ACTION - SLANDER**

18 60. DAVIS realleges and hereby incorporates by reference the allegations contained in  
19 Paragraphs 1 through 58 of this Complaint as if set forth at length.

20 61. The statements made by a) personnel responsible for processing, enforcing and  
21 administering accusations relating to alleged student misconduct; b) SHAMOYAN; c)  
22 GUSD Law Enforcement Agents and d) SHINAGAWA to public officials and private  
23 persons, including the instant District Attorney's Office, were false, i.e., those statements  
24 made in regard to the incident that took place on March 16, 2009 involving DAVIS. The a)  
25 personnel responsible for processing, enforcing and administering accusations relating to  
26 alleged student misconduct; b) SHAMOYAN; c) GUSD Law Enforcement Agents and d)  
27 SHINAGAWA knew those statements to be false.  
28

1 62. In performing the acts and engaging in the conduct as herein described, defendants, and  
2 each of them, acted with specific knowledge and/or substantial certainty that DAVIS would  
3 suffer emotional distress. As a direct and proximate result of the conduct of defendants,  
4 and each of them, DAVIS suffered severe emotional distress and physical ailments as a  
5 result of that distress.

6 63. DAVIS did sustain special damage as a proximate result of the false statements as he was  
7 denied entry into certain military schools in their educational programs after the military  
8 schools inquired about such reports.

9 64. As a direct and proximate result of the conduct of defendants, and each of them, DAVIS  
10 sustained severe and persistent physical and mental pain, suffering, anguish, and distress,  
11 the amount of which will be proven at trial.

12 65. As a direct and proximate result of the conduct of defendants, and each of them, DAVIS  
13 will, in the future, be required to expend further sums for the cure of the reputational,  
14 physical and emotional injuries he suffered at the hands of defendants in an amount which  
15 will be proven at trial.

16 66. The acts, conduct, and behavior of defendants, and each of them, except for GUSD and  
17 COUNTY, were performed knowingly, intentionally, oppressively, fraudulently and  
18 maliciously, by reason of which DAVIS is entitled to an award of punitive damages in the  
19 sum of one million dollars (\$1,000,000.00).

20 **FIFTH CAUSE OF ACTION - LIBEL**

21 67. DAVIS realleges and hereby incorporates by reference the allegations contained in  
22 Paragraphs 1 through 65 of this Complaint as if set forth at length.

23 68. The statements made by a) personnel responsible for processing, enforcing and  
24 administering accusations relating to alleged student misconduct; b) SHAMOYAN; c)  
25 GUSD Law Enforcement Agents and d) SHINAGAWA to public officials and private  
26 persons, including the instant District Attorney's Office, were false, i.e., those statements  
27 made in regard to the incident that took place on March 16, 2009 involving DAVIS and  
28 such statements were made by defendants in a writing disseminated to third parties and each



1 other. The a) personnel responsible for processing, enforcing and administering accusations  
2 relating to alleged student misconduct; b) SHAMOYAN; c) GUSD Law Enforcement  
3 Agents and d) SHINAGAWA knew those written statements to be false, or otherwise took  
4 no precaution, inquiry or investigation as to whether or not such statements were true or  
5 false.

6 69. In performing the acts and engaging in the conduct as herein described, defendants, and  
7 each of them, acted with specific knowledge and/or substantial certainty that DAVIS would  
8 suffer emotional distress and otherwise that DAVIS' reputation would be tarnished. As a  
9 direct and proximate result of the conduct of defendants, and each of them, DAVIS suffered  
10 severe emotional distress and physical ailments as a result of that distress.

11 70. DAVIS did sustain special damage as a proximate result of the false statements as he was  
12 denied entry into certain military schools in their educational programs after the military  
13 schools inquired about and read such written reports. As a direct and proximate result of  
14 the conduct of defendants, and each of them, DAVIS sustained severe and persistent  
15 physical and mental pain, suffering, anguish, and distress, the amount of which will be  
16 proven at trial.

17 71. As a direct and proximate result of the conduct of defendants, and each of them, DAVIS  
18 will, in the future, be required to expend further sums for the cure of the physical and  
19 emotional injuries he suffered at the hands of defendants in an amount which will be proven  
20 at trial.

21 72. The acts, conduct, and behavior of defendants, and each of them, except for GUSD and  
22 COUNTY, were performed knowingly, intentionally, oppressively, fraudulently and  
23 maliciously, by reason of which DAVIS is entitled to an award of punitive damages in the  
24 sum of one million dollars (\$1,000,000.00).

25 **SIXTH CAUSE OF ACTION – CAL. CIVIL CODE §52.1, et Al.**

26 73. DAVIS realleges and hereby incorporates by reference the allegations contained in  
27 Paragraphs 1 through 72 of this Complaint as if set forth at length.  
28

1 74. All defendants engaged in conduct that interfered with the exercise or enjoyment by DAVIS  
2 of his rights secured by the Constitution or laws of the United States, or of the rights  
3 secured by the Constitution or laws of California by threats, intimidation, or coercion, or  
4 attempts to interfere with such rights, by threats, intimidation, or coercion.

5 75. Under the laws of the United States and the State of California, DAVIS had a right to  
6 continue with his education and complete his high school education at CVHS.

7 76. Defendants use of threats, intimidation and coercion were manifested when defendants 1)  
8 investigated the alleged criminal conduct of DAVIS; 2) failed to follow GUSD policy  
9 regarding the investigation of DAVIS involvement in criminal conduct; 3) instigated a  
10 warrantless pretextual search on DAVIS; 4) instigated a warrantless pretextual detention on  
11 DAVIS; 5) instigated a warrantless pretextual interrogation on DAVIS; 6) instigated a  
12 warrantless pretextual arrest on DAVIS; 7) instituted and provided for policies and customs  
13 that permit, and permitted, students to be threatened, intimidated and coerced, to consent to  
14 searches, which students would not subject themselves to, but for such threats, intimidation  
15 and coercion, including DAVIS; 8) instituted and provided for policies and customs that  
16 were void of oversight of individuals who, because of their position and relationship with  
17 students, had the potential of wielding threats, intimidation and coercion to deprive DAVIS  
18 and other similarly situated students, their constitutional and statutory rights within the  
19 purview of the Bane Act; 9) subjected DAVIS to expulsion/suspension proceedings which  
20 involved threats, intimidation and coercion, so that DAVIS would inevitably transfer high  
21 schools; 10) subjected DAVIS to a criminal prosecution that included threats, intimidation  
22 and coercion against DAVIS.

23 77. In performing the acts and engaging in the conduct as herein described, defendants, and  
24 each of them, acted with specific knowledge and/or substantial certainty that DAVIS would  
25 suffer emotional distress and otherwise that DAVIS' reputation would be tarnished and  
26 further that DAVIS' constitutional and statutory rights would be interfered and deprived.



- 1 78. As a direct and proximate result of the conduct of defendants, and each of them, DAVIS  
2 suffered severe emotional distress and physical ailments as a result of that distress and  
3 further DAVIS' constitutional and statutory rights were interfered and deprived.  
4 79. The acts, conduct, and behavior of defendants, and each of them, except for GUSD and  
5 COUNTY, were performed knowingly, intentionally, oppressively, fraudulently and  
6 maliciously, by reason of which DAVIS is entitled to an award of punitive damages in the  
7 sum of one million dollars (\$1,000,000.00).

8 **PRAYER FOR RELIEF**

9 WHEREFORE, DAVIS prays the court for relief as follows:

10 On the First and Second Causes of Action

- 11 1. For Compensatory Damages as will be proven at trial;  
12 2. For attorney fees.  
13 3. For punitive damages in the amount of \$1,000,000

14 On the Third, Fourth, Fifth and Sixth Causes of Action

- 15 1. For Compensatory Damages as will be proven at trial.;  
16 2. For attorney fees;  
17 3. For punitive damages in the amount of \$1,000,000.

18 On all Causes of Action

- 19 1. For costs of the suit;  
20 2. For such other and further relief as the court may deem just and proper.

21  
22 Dated: March 15, 2010

UTZURRUM LAW OFFICES, A.P.C.

23  
24  
25 By: 

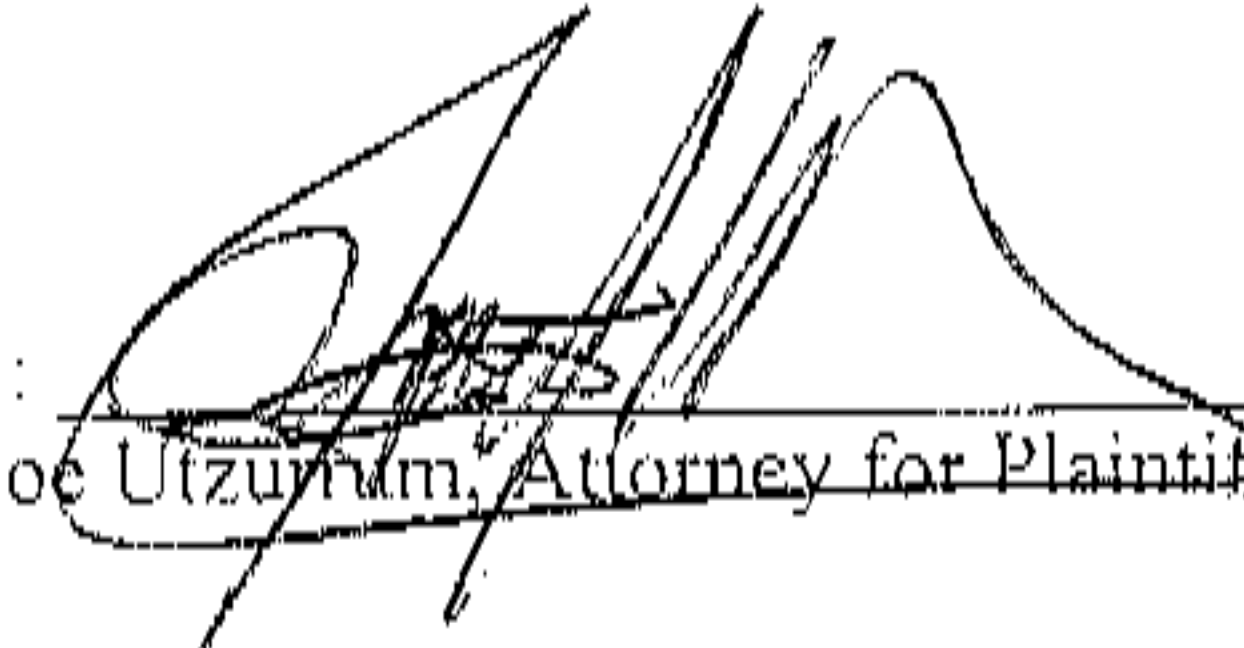
Joe Utzurum, Attorney for Plaintiff Matthew Davis

DEMAND FOR JURY TRIAL

1  
2  
3 1. Plaintiff, MATHEW DAVIS, herein demands a jury trial.

4 Dated: March 11, 2010

UTZURRUM LAW OFFICES, A.P.C.

5  
6  
7  
8 By:   
9 Joe Utzurum, Attorney for Plaintiff Mathew Davis  
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Civil Complaint for Damages and Demand for  
Jury Trial



EXHIBIT A



**GLENDALE UNIFIED SCHOOL DISTRICT**  
223 North Jackson St., Glendale, California 91206-4380  
Telephone: 818-241-3111, Ext. 271 • Fax: 818-546-2101

**BUSINESS SERVICES**

October 7, 2009

Certified Mail  
7008 1140 0001 4753 7372

Utzurum Law Offices, A.P.C.  
Joe Utzurum, Esq.  
333 South Grand Avenue  
25<sup>th</sup> Floor  
Los Angeles, CA 90071

Dear Mr. Utzurum:

Notice is hereby given that the claim you presented to the Glendale Unified School District Board of Education on behalf of Mathew Jay Davis has been rejected.

**WARNING**

Be aware under Government Code Section 945.6, subject to certain exceptions, you have only six (6) months from the date this letter was personally delivered or deposited in the mail to file a court action on these claims.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Sincerely,

A handwritten signature in cursive script, appearing to read "E. Lueck".

Eva Rae Lueck  
Chief Business and Financial Officer

ERL:ks

c: Carl Warren & Co.

Wordocs/claims/09-10/Davis, Mathew



Glendale Unified School District  
Business Services  
23 North Jackson Street  
Glendale, CA 91206

RECEIVED  
OFFICE DEPOT



7008 1140 0001 4753 7372

Utzurum Law Offices, A.P.C.  
Joe Utzurum, Esq.  
333 South Grand Avenue  
25<sup>th</sup> Floor  
Los Angeles, CA 90071

90071#1504 C035



UNITED STATES POSTAGE  
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OCT 09 2009  
MAILED FROM ZIP CODE 91204

EXHIBIT B





COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

TELEPHONE

(213) 974-1913

FACSIMILE

(213) 687-8822

TDD

(213) 633-0904

*rw*  
ROBERT F. KALUNIAN  
Acting County Counsel

September 16, 2009

Joe Utzurum, Esq.  
Utzurum Law Offices, A.P.C.  
620 Newport Center Dr., Suite 1100  
Newport Beach, California 92660

Re: Claim(s) Filed:  
File Number(s):  
Your Client(s):

September 9, 2009  
09-1072262\*001  
Mathew Jay Davis

Dear Counselor:

This letter is to inform you that the above-referenced claim which you filed with the Los Angeles County Board of Supervisors was rejected on **September 15, 2009.**

An investigation of this matter fails to indicate any liability on the part of the County of Los Angeles. Accordingly, your claim was rejected on that basis and no further action will be taken on this matter.

STATE LAW REQUIRES THAT YOU BE GIVEN THE FOLLOWING  
"WARNING:"

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. SEE GOVERNMENT CODE SECTION 945.6.

Joe Utzurrum, Esq.  
September 16, 2009  
Page 2

This time limitation applies only to causes of action for which Government Code Sections 900 - 915.4 required you to present a claim. Other causes of action, including those arising under federal law, may have different time limitations.

Very truly yours,

ROBERT E. KALUNIAN  
Acting County Counsel

By



BRIAN T. CHU  
Principal Deputy County Counsel  
General Litigation Division

BTC:ce



DECLARATION FOR SERVICE BY MAIL

STATE OF CALIFORNIA  
County of Los Angeles

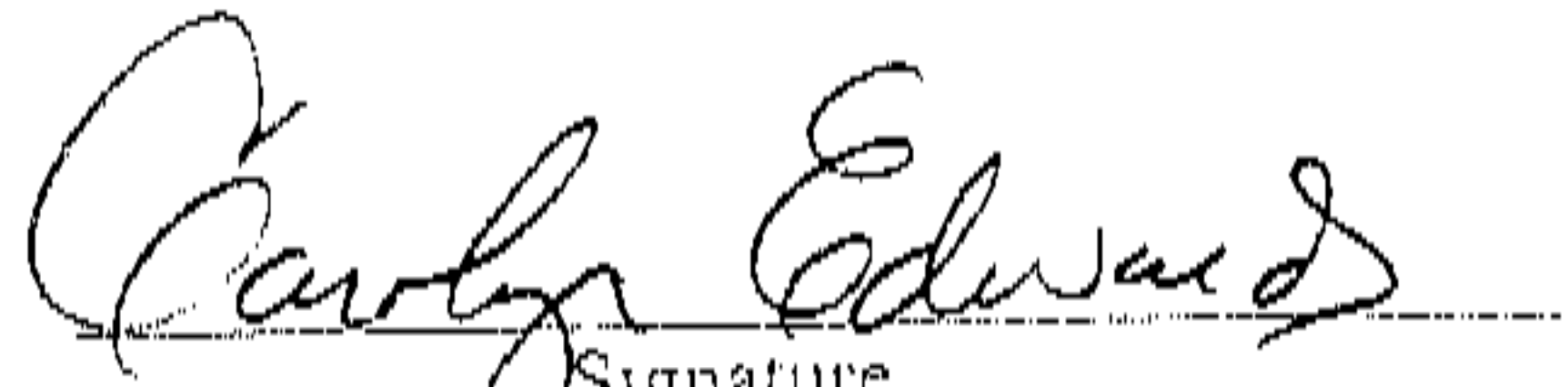
I am and at all times herein mentioned have been a citizen of the United States and resident of the County of Los Angeles, over the age of eighteen years and not a party to nor interested in the within action; that my business address is 648 Kenneth Hahn Hall of Administration, City of Los Angeles, County of Los Angeles, State of California 90012.

That on the 21<sup>ST</sup> day of September 2009, I served the attached "Notice of Denial" of claim upon claimant by depositing a copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in a United States mail box in Los Angeles, California addressed as follows:

Joe Utzurum, Esq.  
Utzurum Law Offices, A.P.C.  
620 Newport Center Dr., Suite 1100  
Newport Beach, California 92660

and that the person on whom said service was made has/resides his/her office at a place where there is a regular communication by mail between the place of mailing and the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on this 21<sup>ST</sup> day of September 2009 at Los Angeles, California.

  
Signature

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETI (a) PLAINTIFFS (Check box if you are representing yourself ☐)  
MATHEW DAVIS

## DEFENDANTS

GLENDALE UNIFIED SCHOOL DISTRICT,  
ET AL.

(b) Attorneys (Firm Name, Address and Telephone Number, if you are representing yourself, provide same.)

Joe Utzurnum, Esq. CBN 171701, Utzurnum Law Offices, A.P.C.  
620 Newport Center Drive, Suite 1100  
Newport Beach, California 92660 949-852-8198

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant.)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No ☒ MONEY DEMANDED IN COMPLAINT: \$ In excess of \$100,000 (as proved)VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
42 U.S.C. §1983 law suit against a wrongfully arrested and prosecuted high school student, with defamatory and libelous statements made in student record

## VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV10-01837

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

CIVIL COVER SHEET

Page 1 of 2



UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes  
If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes  
If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County, however plaintiff is currently attending school in Flagstaff, Arizona	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
☒ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties  
Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): \_\_\_\_\_

Date

3/15/10

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

CIVIL COVER SHEET

Page 2 of 2

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Newport Beach, California 92660  
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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MATHEW DAVIS

CASE NUMBER

PLAINTIFF(S)

**Cv10-01837-DMG(CW)**

v  
GLENDALE UNIFIED SCHOOL DISTRICT, ET AL.  
(SEE ATTACHED)

SUMMONS

DEFENDANT(S)

TO: DEFENDANT(S): GLENDALE UNIFIED SCHOOL DISTRICT, ZAVEN SHAMOYAN, MICHAEL F. ESCALANTE  
LINDA EVANS, CHRISTOPHER COULTER, MARK BROWN SUNGSOOK KIM, CHARLOTTE  
SASSOUNIAN, MARY W. BORGER, GREG KRIKORIAN, NAYIRI NAHABEDIAN, JOYLENE  
WAGNER, CHRISTINE WALTERS, TAMAR KATAROYAN, H.A. PAZ,  
COUNTY OF LOS ANGELES and SCOTT SHINAGAWA

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Joe Utzurum, Esq., whose address is 620 Newport Centre Drive, Suite 1100, Newport Beach, California 92660. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Dated: 15 MAR 2010

Clerk, U.S. District Court

By

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)]



UTZURRUM LAW OFFICES, A.P.C.  
 Joe Utzurum, Esq.  
 Cal Bar Number 171701  
 620 Newport Center Drive  
 Suite 1100  
 Newport Beach, California 92660  
 Telephone: (949) 852-8198

Attorneys for Plaintiff, MATHEW DAVIS

# UNITED STATES DISTRICT COURT

## CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

MATHEW DAVIS,

Plaintiff,

vs.

GLENDALE UNIFIED SCHOOL DISTRICT,  
 ZAVEN SHAMOYAN, MICHAEL F.  
 ESCALANTE, LINDA EVANS,  
 CHRISTOPHER COULTER, MARK BROWN,  
 SUNGSOOK KIM, CHARLOTTE  
 SASSOUNIAN, MARY W. BORGER, GREG  
 KRIKORIAN, NAYIRI NAHABEDIAN,  
 JOYLENE WAGNER, CHRISTINE WALTERS,  
 TAMAR KATAROYAN, H.A. PAZ, COUNTY  
 OF LOS ANGELES, SCOTT SHINAGAWA and  
 DOES 1 through 10, inclusive,

Defendants.

**CV 10-01837-DMG (CJG)**

COMPLAINT FOR DAMAGES AND  
 DEMAND FOR JURY TRIAL

1. Violation of Civil Rights (42 U.S.C. §1983)
2. Violation of Civil Rights –California Constitution
3. Intentional Infliction of Emotional Distress
4. Slander
5. Libel

Judge:

Dept.:

Trial Date: To be determined  
 Trial Time: To be determined

Plaintiff, MATHEW DAVIS ("DAVIS"), alleges as follows:

### I. JURISDICTION AND VENUE

1. DAVIS' claim is based on, among others, the violation of DAVIS' civil rights under the United States Constitution. As such, this case is brought pursuant to 42 USC §1983 and appropriate statutes of the State of California. DAVIS' action arises under the Fourth, Fifth and Fourteenth Amendments to the United States Constitution and the Constitution and laws of the State of California.

Civil Complaint for Damages and Demand for  
 Jury Trial

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Dolly Gee and the assigned discovery Magistrate Judge is Carla Woehrle.

The case number on all documents filed with the Court should read as follows:

**CV10- 1837 DMG (CWx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

===== :

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.